

**DECLARATION OF ANTHONY BEST**

I, Anthony Best, declare as follows:

1. I am a Special Agent with the Federal Bureau of Investigation. I am one of the case agents assigned to United States v. Rundo et al., No. CR 2:18-759-CJC. I have knowledge of the facts set forth herein and could testify truthfully to those facts if called upon.

2. Defendant Robert Rundo, along with his friend Benjamin Daley, founded the Rise Above Movement ("RAM") in 2017.

3. Attached as **Exhibit 1** is a true and correct copy of a word document seized from Ben Daley's Apple laptop computer.

4. Attached as **Exhibit 2** is a true and correct copy of a recording of a YouTube video that was posted on December 17, 2017, from RAM's account.

5. Attached as **Exhibit 3** are true and correct copies of screenshots of social media posts from RAM's social media accounts.

6. Attached as **Exhibit 4** are true and correct copies of photographs taken at defendant's residence on October 2, 2018.

7. Attached as **Exhibit 5** are true and correct copies of screenshots from videos of the Huntington Beach Rally on March 25, 2017, and the Berkeley Rally on April 15, 2017. Defendant was arrested at the Berkeley Rally after assaulting an officer.

8. Attached as **Exhibit 6** is a true and correct copy of an October 4, 2018, email from defendant's email account.

9. Attached as **Exhibit 7** are true and correct copies of records from New York State Department of Correctional Services Greene Correctional Facility.

1           10. Attached as **Exhibit 8** is a true and correct copy of a  
2 recording of an interview of defendant by Federal Bureau of  
3 Investigation ("FBI") agents on October 7, 2018, at Los Angeles  
4 International Airport.

5           11. Attached as **Exhibit 9** is a true and correct copy of records  
6 regarding defendant's October 22, 2018, flight between Kiev, Ukraine  
7 and Los Angeles, California.

8           12. Attached as **Exhibit 10** is a true and correct copy of  
9 screenshots of defendant's text messages from October 2018.

10           13. Attached as **Exhibit 11** is a true and correct copy of  
11 records regarding defendant's October 10, 2018, flight from New York  
12 to Ukraine.

13           14. Attached as **Exhibit 12** is a true and correct copy of  
14 records regarding defendant's October 11, 2018, flight from New York  
15 to Ukraine.

16           15. Attached as **Exhibit 13** is a true and correct copy of  
17 records regarding defendant's October 9, 2018, flight from Santa Ana  
18 to New York.

19           16. Attached as **Exhibit 14** is a true and correct copy of  
20 records regarding defendant's October 11, 2018, flight from New York  
21 to Ukraine.

22           17. Attached as **Exhibit 15** is a true and correct copy of  
23 records regarding defendant's October 9, 2018, flight from Santa Ana  
24 to New York.

25           18. Attached as **Exhibit 16** is a true and correct copy of  
26 defendant's text messages from on or about October 10, 2018.  
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1           19. Attached as **Exhibit 17** is a true and correct copy of  
2 records regarding defendant's October 11, 2018, flight from Tijuana  
3 to Mexico City.

4           20. Attached as **Exhibit 18** is a true and correct copy of  
5 records regarding defendant's October 11, 2018, flight from Mexico  
6 City to Cuba.

7           21. Attached as **Exhibit 19** is a true and correct copy of  
8 records regarding defendant's October 17, 2018, flight from Cuba to  
9 Russia.

10          22. Attached as **Exhibit 20** is a true and correct copy of  
11 records regarding defendant's October 18, 2018, flight from Russia to  
12 Dubai.

13          23. Attached as **Exhibit 21** is a true and correct copy of  
14 records regarding defendant's October 18, 2018, flight from Russia to  
15 Dubai.

16          24. Attached as **Exhibit 22** is a true and correct copy of  
17 records regarding defendant's October 19, 2018, flight from Mexico  
18 City to Guatemala.

19          25. Attached as **Exhibit 23** is a true and correct copy of  
20 records regarding defendant's October 21, 2018, flight from El  
21 Salvador to Turkey.

22          26. In October 2018, defendant was returned from El Salvador to  
23 the United States and was arrested.

24          27. Attached as **Exhibit 24** is a true and correct copy of  
25 defendant's Wells Fargo bank statements.

26          28. After the indictment in Case No. 2:18-CR-759-CJC was  
27 dismissed in June 2019, defendant traveled through different  
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1 countries for the next several years, including, among others,  
2 Bulgaria, Bosnia, and Serbia.

3 29. Attached as **Exhibit 25** is a true and correct copy of an  
4 April 19, 2022, Pretrial Services Report for defendant.

5 30. Attached as **Exhibit 26** are true and correct copies of an  
6 April 27, 2022 and a January 4, 2023 arrest warrant for defendant.

7 31. Attached as **Exhibit 27** is a true and correct copy of a  
8 purported United States passport bearing a picture of defendant.  
9 According to Bulgarian law enforcement, defendant presented this  
10 passport to a real estate agent in November 2022 in connection with  
11 an apartment lease application. The passport number listed on the  
12 passport is not a legitimate number.

13 32. Attached as **Exhibit 28** are true and correct copies of  
14 screenshots of defendant's public posts from Telegram on January 27,  
15 2023 and February 1, 2023.

16 33. On March 29, 2023, the FBI arrested defendant in Romania.

17 34. Attached as **Exhibit 29** is a true and correct copy of a  
18 video with defendant captured from Vimeo on or about June 30, 2022.

19 35. Attached as **Exhibit 30** is a true and correct copy of a  
20 photograph of identification documents recovered from defendant upon  
21 his arrest in Romania.

22 36. Attached as **Exhibit 31** is a true and correct copy of  
23 conviction and court records regarding defendant's 2009 attempted  
24 gang assault in New York.

25 37. Attached as **Exhibit 32** are true and correct copies of FBI  
26 reports (some still in draft form) regarding February 2024  
27 surveillance and photographs of items found on defendant's person  
28 upon his arrest. Shortly after defendant was arrested by an FBI task

1 force officer, defendant told the officer that he was going to turn  
2 himself in, but was going to grab a beer first.

3 38. Attached as **Exhibit 33** is a true and correct copy of the  
4 criminal complaint filed in this case (Dkt. 1.)

5 39. Attached as **Exhibit 34** is a true and correct copy of plea  
6 documents related to Benjamin Daley in Case No. 3:18-CR-00025-NKM-JCH  
7 in the Western District of Virginia.

8 40. Attached as **Exhibit 35** are true and correct copies of  
9 reports detailing interviews with officers from the Berkeley Police  
10 Department.

11 41. Attached as **Exhibit 36** is a true and correct copy of an FBI  
12 report.

13 I declare under penalty of perjury under the laws of the United  
14 States of America that the foregoing is true and correct and that  
15 this declaration is executed at San Clemente, California, on April  
16 12, 2024.

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18 /s/

19 ANTHONY BEST  
20 Special Agent, FBI  
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